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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/723,265	11/27/2000	William R. Rohrbach	ROHRBACH 8-13	4313
27964	7590	03/03/2004	EXAMINER	
HITT GAINES P.C. P.O. BOX 832570 RICHARDSON, TX 75083			APPIAH, CHARLES NANA	
			ART UNIT	PAPER NUMBER
			2686	
			DATE MAILED: 03/03/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/723,265

Applicant(s)

ROHRBACH ET AL.

Examiner

Charles Appiah

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 22 December 2003 have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "a wireless link of diminished bandwidth is a wireless link having a bandwidth insufficient to provide commercially-acceptable quality of service standards for voice communication that does not interfere with normal voice traffic in a wireless voice network (being, in that sense, "out-of-band")" are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Examiner further maintains that the invention as claimed is broad enough to be encompassed by the teaching of Martinez's "very narrow compressed channels". Martinez therefore does not teach away from "a wireless link of diminished bandwidth" as being argued by Applicants'. Applicants' arguments are more narrow and directed to specific features than the invention as claimed.

In view of the above the rejections using Lebowitz and Martinez in combination with other references read on Applicants' invention as claimed and reasonably interpreted. The rejections are therefore maintained as repeated below. The rejections are made FINAL.

***Claim Rejections - 35 USC § 103***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1, 3-8, 10-15 and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lebowitz (5,454,024)** in view of **Martinez (4,117,405)**.

Regarding claims 1, 8 and 15 Lebowitz discloses an alarm system, a method of operating an alarm system and a voice network comprising: a local transceiver (31), that response to a received stimulus (sensor circuitry), establishes a wireless link to a wireless central monitoring station (33-40) in the wireless voice network (32), and a local controller (16), coupled to the transceiver for bi-directional communication therewith (see col. 8, line 50 to col. 9, line 35), that receives commands from the wireless central monitoring station via the wireless link (see col. 5, line 41 to col. 6, line 19).). Lebowitz fails to explicitly teach that the established wireless link between the local transceiver and the wireless central monitoring station uses diminished bandwidth.

Martinez discloses a narrow-band radio communication system for communicating signals from protected premises or locations to a central monitoring point (see col. 1, lines 6-11). According to Martinez, a high signal-to-noise radio transmissions is achieved by using a very-narrow-band radio communication apparatus in which 100 or more alarm transmitter channels can be compressed within one conventional radio voice channel, with such an alarm apparatus being immune to jamming and intentional interference by intruders (see col. 3, lines 7-56). Martinez further teaches that using narrow bandwidth transmission results in a sufficiently intense

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concentration of energy in a very small spectrum of space which can override most other signal transmissions that occupy the same space and would not unduly interfere with other signal sources which they override (see col. 2, lines 46-59).

It would therefore have been obvious to one of ordinary skill in the art to combine the teaching of Martinez using narrow bandwidth for alarm signal communication with the system of Lebowitz in order to ensure the overriding of other transmissions without undue interference over the available voice channels for alarm data transmissions.

Regarding claims 3, 4, 10, 11, 17 and 18, Lebowitz shows wherein the stimulus is an alarm event communicated from the local controller to the local transceiver and wherein the local event is selected from the group consisting of a user-triggered alarm event an intruder-triggered event (see col. 8, line 50 to col. 9, line 35).

Regarding claims 5, 12, and 19, Lebowitz further teaches wherein the stimulus is a command communicated from the wireless central station to the local transceiver (see col. 5, line 41 to col. 6, line 19).

Regarding claim 6, 13, and 20, Lebowitz further shows wherein the central monitoring station establishes the wireless link exclusively with the local transceiver (see col. 5, lines 41-52).

Regarding claim 7, 14 and 21, the combination of Lebowitz and Martinez shows wherein the wireless central monitoring station broadcasts the command to a plurality of transceivers including the local transmitter (see Fig. 1, col. 6, lines 1-7).

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4. Claims 2, 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lebowitz and Martinez** as applied to claims 1, 8 and 15 above, and further in view of **Fish (5,422,626)**.

Regarding claims 2, 9 and 16, the combination of Lebowitz and Martinez fail to explicitly teach wherein the local transceiver and the wireless central monitoring station exchange data in bursts.

Fish discloses a system for monitoring a location in which the monitored station uses burst signals having different repetition rates to signal a detected alarm condition which leads to power savings, reduces the possibility of false alarms and improve network performance (see col. 1, line 24 to col. 2, line 6).

It would therefore have been obvious to one of ordinary skill in the art to provide the burst signal transmission and reception system of Fish to the system of Lebowitz as modified by Martinez in order to provide the advantages of power saving, increased reliability and the substantial reduction of false alarms as taught by Fish.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Britton (5,745,849) discloses a combination cordless telephone and premise-monitoring alarm system.

Danielson et al. (5,764,886) discloses an in-band/out-of-band alert delivery system.

Tanaka (5,140,308) discloses a radio automatic alarm transfer system.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Appiah whose telephone number is 703 305-4772. The examiner can normally be reached on M-F 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 703 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CA  
February 25 2004

  
**CHARLES APPIAH**  
**PRIMARY EXAMINER**